

Office of the Chapter 13 Standing Trustee

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February 26, 2019

The Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

RE: Chapter 13 Bankruptcy
Case No. 18-27730 (ABA)
Debtor(s) Name: Melvin E. Robinson, Jr.

Dear Judge Altenburg:

Please accept this letter as a limited objection to Debtor's Motion to Approve Sale of Real Estate which is returnable Tuesday, March 19, 2019 at 10:00 a.m.

Debtor comes before the Court five (5) months after his case was filed on a Motion to Approve Sale of 6 Dayton Court, Sicklerville, New Jersey. Debtor has obtained a Contract of Sale for \$170,000. On November 13, 2018, Bayview Loan Servicing, LLC filed a secured proof of claim in the amount of \$443,384.71 (Claim No. 4). Debtor has not provided any evidence that he has entered into a Short Sale Agreement with Bayview, nor does the proposed Order state that the sale of property is contingent on Bayview consenting to a Short Sale.

Additionally, although confirmation of Debtor's plan would have vested property of the estate in Debtor under 11 U.S.C. § 1327, the plan has not been confirmed and it remains an asset of the estate. See 11 U.S.C. §§ 541 and 1306. Disposal of estate assets prior to confirmation requires the Trustee's consent under 11 U.S.C. § 1302 and § 704. Should the sale of property be approved, the proposed Order should be amended to include language stating that title must be conveyed by the Trustee and Debtor.

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,

/s/ Jane L. McDonald
Jane L. McDonald
Counsel

JLM/jpa
cc: William H. Oliver, Jr. (Via ECF/CM)
Melvin E. Robinson, Jr. (Via First Class Mail)